

Message Text

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ACTION L-03

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E.O. 11652: NA
TAGS: UNGA, UR
SUBJECT: OPENING OF GENERAL DEBATE IN SPECIAL
COMMITTEE ON NON-USE OF FORCE: SOVIET STATEMENT

REF: USUN 3250

1. ON THE MORNING OF AUGUST 23 THE SPECIAL COMMITTEE
ON THE NON-USE OF FORCE BEGAN ITS GENERAL DEBATE WITH
A STATEMENT BY THE SOVIET UNION (KOLESNIK). KOLESNIK'S
STATEMENT COVERED WELL-WORN GROUND. ITS MAIN LEGAL
THRUST WAS THAT A WORLD TREATY ON THE NON-USE OF FORCE
ALONG THE LINES OF THE 1976 SOVIET DRAFT TREATY WOULD
NOT SIMPLY BE A REPETITIVE ACCEPTANCE OF EXISTING
OBLIGATIONS UNDER THE UN CHARTER BUT WOULD ENSURE THEIR
"MORE EFFECTIVE OBSERVATION IN SPECIFIC AND CONCRETIZED
FRAMEWORKS." KOLESNIK ARGUED THAT MANY BASIC PRINCIPLES
OF INTERNATIONAL LAW IN THE UN CHARTER HAVE BEEN
ELABORATED AND "CONCRETIZED" IN PARTICULAR INTERNATIONAL
ACTS (TREATIES, AGREEMENTS, DECLARATIONS, RESOLUTIONS,
ETC.). IT IS PERHAPS IRONIC THAT HE CITED AS
SUPPORTING EXAMPLES THE 1948 UNIVERSAL DECLARATION OF
HUMAN RIGHTS AND THE 1966 COVENANT ON HUMAN RIGHTS,
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BOTH OF WHICH CODIFIED THE PRINCIPLE OF THE UNIVERSAL
RESPECT FOR HUMAN RIGHTS AND BASIC FREEDOMS CONTAINED
IN THE UN CHARTER.

2. KOLESNIK ENGAGED IN OBLIGATORY POLEMICS AGAINST
"SOME CIRCLES IN THE WEST" WHICH EVEN NOW PROCLAIM THE
PERMISSIBILITY OF "LOCAL, LIMITED, OR CONTROLLED ARMED

CONFLICTS...." HE ALSO COMPLAINED THAT CERTAIN FORCES ARE ACTIVELY SEEKING TO UNDERMINE THE PROCESS OF DETENTE, FAN THE ARMS RACE, CREATE NEW WEAPONS, AND STRENGTHEN AGGRESSIVE MILITARY BLOCS. YET KOLESNIK ASSERTED THAT THE SOVIET DRAFT TREATY DOES NOT IN ANY WAY LIMIT THE RIGHT OF EVERY MEMBER STATE TO INDIVIDUAL AND COLLECTIVE SELF-DEFENSE UNDER ARTICLE 51 OF THE UN CHARTER. HE ALSO STRESSED THAT NOTHING IN THE SOVIET DRAFT TREATY PUTS ANY LIMIT ON THE RIGHT OF COLONIAL PEOPLES TO INDEPENDENCE AND FREEDOM, TO CARRY OUT A STRUGGLE TO THESE ENDS, AND TO SEEK AND RECEIVE SUPPORT IN ACCORDANCE WITH THE PRINCIPLES OF THE UN CHARTER.

3. KOLESNIK STATED HIS DELEGATION'S BELIEF THAT THE SOVIET DRAFT TREATY COULD BE ACCEPTED AS THE BASIS FOR WORKING OUT A FINAL TREATY, BUT HE ALSO SAID THAT HIS DELEGATION IS PREPARED TO CONSIDER ATTENTIVELY ANY SUGGESTION WHICH COULD ACHIEVE A UNIVERSALLY ACCEPTED TEXT OF A WORLD TREATY ON THE NON-USE OF FORCE IN INTERNATIONAL RELATIONS.

4. THE SOVIET STATEMENT WAS THE ONLY ONE DELIVERED ON AUGUST 23. THE COMMITTEE IS SCHEDULED TO HOLD MORNING SESSIONS BOTH ON AUGUST 24 AND AUGUST 25. THUS FAR THE COMMITTEE'S DELIBERATIONS HAVE GOTTEN OFF TO A COMMENDABLY SLOW START. YOUNG
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